



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

## “THE PEOPLE THE BEST GOVERNORS”

IN the history of the use of the written constitution as a basis of government, no period so brief has been marked by such activity in constituent proceedings and by such political path-breaking as the decade of the American Revolution. Yet of the seventeen constitutions, successful and other, whose appearance marks the ten years, 1775-84, those of but two states, New Hampshire and Massachusetts, were submitted to the action of the people. Elements both of the cause and of the result of this mode of procedure mark the contemporaneous literature in each of those states, and especially in Massachusetts, with its superior colonial press, its high grade of political intelligence, and its abundance of vigorous leaders.

The literary products of a political nature in those years may be grouped into three principal classes: the mass of articles in the press by the historian Gordon and his anonymous contemporaries; the large number of town votes, involving, especially in the years of the submission of constitutions, a large amount of practical detail as well as political theory; and, third, the work of the pamphleteers. Types of this last class appear in the aristocratic Carter Braxton's *Address to the Convention . . . of Virginia; on the Subject of Government in general, and recommending a particular Form to their Consideration*<sup>1</sup> and in John Dickinson's *Essay on a frame of Government for Pennsylvania*.<sup>2</sup>

In the same field there were produced by Massachusetts men two pamphlets of especial note, the widely influential *Thoughts on Government*<sup>3</sup> of John Adams, and the locally powerful *Essex Result*<sup>4</sup> of Theophilus Parsons. To the short list of these strongly

<sup>1</sup> Philadelphia, 1776; pp. 25; a copy is in the Library of Congress.

<sup>2</sup> Philadelphia, 1776; pp. 16; a copy is in the Library of the Historical Society of Pennsylvania.

<sup>3</sup> Philadelphia, 1776; pp. 28; in the Library of the Historical Society of Pennsylvania is a copy in which is written, under date of New York, March, 1869: "Of the original edition this is the only copy I have ever seen. Geo. Bancroft." The text is reprinted in 4 *American Archives*, IV. 1136-1140; and see works of John Adams, IV. 189-200.

<sup>4</sup> Newburyport, 1778; pp. 68; copies are in the Library of Harvard College; the text was reprinted in 1859 in the *Memoir of Theophilus Parsons*, by his son.

representative writings the addition is possible of a work bearing the imprint of 1776, and in its contents bringing out many of the opinions later so prevalent. Failure, after inquiry of thoroughly representative authorities, to locate in this country at present any but a single copy,<sup>1</sup> renders the full title worthy transcription :—

*The | People | the | Best Governors : | or a | Plan of Government |  
Founded on the just Principles of | Natural Freedom. | Printed in  
M,DCC,LXXVI.*

As in the other pamphlets of the kind, the authorship was not proclaimed ; it differed from them in not indicating its place of publication. The latter omission is tentatively supplied in the catalogue of the British Museum as Boston, but, at present, no verification of such is offered.

By way of well directed apology the author in his preface says that to "help in some measure to eradicate the notion of arbitrary power, heretofore drank in, and to establish the liberties of the people of this country upon a more generous footing, is the design of the following impartial work, now dedicated by the Author, to the honest farmer and citizen." He puts himself squarely on record, and on the doubly "popular" side, by confessing himself "a friend to the popular government," and by also offering the willing confession, that to him it has appeared "that the forms of government that have hitherto been proposed since the breach with Great Britain, by the friends of the American States, have been rather too arbitrary." To counteract every leaning to the "arbitrary" was the business of a "popular" writer, and to remedy such an unwelcome tendency he would emphasize the immediate dependence of both legislative and executive officers upon the people ; the people should elect directly the latter ; to matters pertaining to the legislative branch, most of this early tract is devoted.

Turning to the important feature of the qualifications of legislators, the author goes to the extreme of liberality when he considers knowledge and social virtue sufficient qualifications for such positions. "Let it not be said in future generations," he goes on, "that money was made by the founders of the American states, an essential qualification in the rulers of a free people." As to the equally important matter of the basis of representation, his reason-

<sup>1</sup> In the Library of the Connecticut Historical Society; pp. 13. Mention of this pamphlet is found in the instructions given by the town of Wilbraham, Mass., to its Representatives, May 19, 1777: "That in all their proceedings they have Special recourse (as an assistance) to a Little book or Pamphlet Intitled, The People the best Governors or a Plan of Government, &c — . . ." Lincoln Papers, Library of The American Antiquarian Society.

ings teach that the basis of property disregards the equal liberty of all, that the basis of population would "puzzle the brain of a philosopher," while to him the basis of taxed lands seems least objectionable; at all events, he concludes, and in the conclusion reflects the striking conservatism of the time, that "a government is not erected for a day or a year, and, for that very reason, should be erected upon some invariable principles." The ratio of representation is taken up, and in this the writer repeats the extreme demand of the defenders of local rights in asserting the propriety and the right of every incorporated town to make annual choice of a member of the House of Representatives. This position he weakens only with the rather elastic suggestion that power be given to the General Assembly to grant larger representation to the more populous places.

In the author's time, and with his fellowmen, the most attractive as well as, provincially, the most important parts of government were the representative elements. The defence of one's rights as a voter, and the consideration of the broadening mass of political questions and rights arising from the possession of the suffrage, furnish their leading themes of thought and talk; various and abundant are the proposals relative to government by popularly elected representatives acting as legislators; and it is but characteristic of the time that the most systematic portion of the pamphlet in question is the series of distinct sections treating of these salient points of representative government. In the course of these the writer expresses what has been handed down most commonly from the mouth of another, when he suggests annual elections in all cases. He would, furthermore, extend this elective power of the people even to the choice at large, in town meetings, of judges of the Superior Court, as well as to the election by the counties of such officers as registers, judges of probate, and judges of the inferior courts. He is consistent in his liberality, even if still extreme, when he allows the franchise to every "orderly free male of ordinary capacity," twenty-one years of age, and of one year's residence in the town of voting; to this he suggests the qualifying addition that a year's absence from a town shall not entail disfranchisement if the person possesses in the town real estate valued at £100. To the possession of the franchise on such generous terms he would add the right to hold office, "unless something that has been said to the contrary;" but he opposes without qualification dual office-holding, therein touching but slightly on a question that was promptly to become one of importance. His vigorous expression on office-holding is rounded out by

the sentiment that would refuse admission of any one to office, unless he "professes a belief of one only invisible God, that governs all things; and that the bible is his revealed word; and that he be also an honest moral man."

Later development of detail is foreshadowed in the suggestion of the publication of the Assembly's resolutions, and in the proposal to establish one "general proxy day" for the whole state. The early evolution of the important elements of representative government is typified by the author's allusion to the Assembly's power to act upon the credentials of its members, and by the attention he gives to the propriety of ascertaining the vestment of the power to entertain and act upon complaints against executive officers, a rude attempt at an impeachment process. The text does not lack indications of the author's familiarity with the accepted theorizing of his time; the later triple division of government, for instance, appears here, in a treatise bearing upon the executive and legislative departments, in his allusion to the desirability of a strict demarcation between executive and legislative functions. By such, and other, points of practice and theory, the writer of this pamphlet shows himself to have been a leader of thought even in the times of such political progress; his work in appearance was slight, but in essence it was profound. He preceded Parsons by two years, and began the propagandist education which the so-called *Essex Result* more elaborately and more perfectly continued, and which was crystallized by John Adams in more enduring form in the Massachusetts Constitution of 1780.

HARRY A. CUSHING.